



Fiscal Note

H.B. 379

2018 General Session
Death Penalty Amendments
by Froerer, G.



General, Education, and Uniform School Funds

JR4-5-101

	Ongoing	One-time	Total
Net GF/EF/USF (rev.-exp.)	\$38,000	\$0	\$38,000

State Government

UCA 36-12-13(2)(b)

Enactment of this legislation likely will not materially impact state revenue.

Revenues	FY 2018	FY 2019	FY 2020
Total Revenues	\$0	\$0	\$0

For cases that would otherwise be initially processed as death penalty cases but would now presumably be processed as cases carrying a life without parole penalty, enactment of this bill could save the Courts about \$38,000 ongoing from the General Fund, beginning in FY 2019 from reduced investigative costs. This bill could also have the following known secondary General Fund impacts: 1. Attorney General - This could save the Attorney General about \$44,500 each year in appeals costs for those offenders that would otherwise be awaiting a final determination on their sentence for each applicable case; 2. Corrections - Beginning in FY 2039, this could cost the Department of Corrections on average about \$29,700 each year in incarceration costs. This may also save the Department about \$165,000 one-time in preparation and execution costs for each applicable case; 3. Department of Administrative Services - This may save \$10,800 in legal defense each year from the Post Conviction Indigent Defense Fund in applicable cases; 4. Board of Pardon and Parole - This may save the Board \$22,400 one-time in hearing and research costs for each applicable case; 5. Department of Public Safety - This may save the Department of Public Safety \$7,500 one-time for evidence review costs for each applicable case.

Expenditures	FY 2018	FY 2019	FY 2020
General Fund	\$0	\$(38,000)	\$(38,000)
Total Expenditures	\$0	\$(38,000)	\$(38,000)

Net All Funds	\$0	\$38,000	\$38,000
---------------	-----	----------	----------

Local Government

UCA 36-12-13(2)(c)

Under this bill, a penalty other than the death penalty would presumably be sought in about 4 cases every year, this could save counties up to \$400,000/case or more for a total of up to \$1,600,000 annually or more in additional prosecution and defense costs typically required in such cases. Local jails could save about \$31,200 in pre-trial incarceration costs. Also, for offenders that would otherwise be sentenced to death, this bill could save counties about \$36,300/year in appeals costs for every offender awaiting a final determination on their sentence, assuming these offenders will now be sentenced to life without parole.

Individuals & Businesses

UCA 36-12-13(2)(d)

Enactment of this legislation likely will not result in direct, measurable expenditures by Utah residents or businesses.

Regulatory Impact

Enactment of this legislation likely will not change the regulatory burden for Utah residents or businesses.

Performance Note

JR4-2-404

No performance note required for this bill

Notes on Notes

Fiscal notes estimate the direct costs or revenues of enacting a bill. The Legislature uses them to balance the budget. They do not measure a bill's benefits or non-fiscal impacts like opportunity costs, wait times, or inconvenience. A fiscal note is not an appropriation. The Legislature decides appropriations separately.